Sprint Nextel Corporation
6450 Sprint Parkway
Overland Park, KS 66251
Office: (913) 315-8521
scott.r.freiermuth@sprint.com

Scott R. Freiermuth
Counsel, Government Affairs

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Via Electronic Submission

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

> **Re:** *Notice of Ex Parte Communication*
> CG Docket 10-207, Empowering Consumers to Avoid Bill Shock
> CG Docket 09-158, Consumer Information and Disclosure

Dear Ms. Dortch:

On March 17, 2011, Scott Freiermuth of Sprint Nextel Communications spoke with David Tannenbaum of the Office of General Counsel. Sprint provided the following information in response to questions that were raised during an earlier conversation with Mr. Tannenbaum and Colleen Heitkamp of the Consumer and Government Affairs Bureau.

Data Latency

Sprint discussed the distinction between on-network and off-network customer usage and its affect on the latency or amount of time it takes for the information to hit Sprint's billing system. For on-network usage, the information is fed into the billing system in near "real time." There are instances where there is some lag time, but this is rare and generally only occurs with respect to data usage (voice and text usage rarely experiences any latency).

With respect to off-network usage, the usage information will *not* hit Sprint's billing system in "real time" because Sprint is dependent on other carriers to send the billing/usage information to Sprint. Most carriers utilizes batch processing to send this information and the batches may not be processed for hours, days and sometimes weeks.

Sprint further differentiated between international usage and domestic roaming usage. For international usage, Sprint described that the amount of time it takes for the usage information to hit Sprint's billing system depends on whether the information comes from an international CDMA carrier or a GSM carrier. It takes longer to process information from a GSM carrier because the billing information typically goes through a clearinghouse and must be converted from one billing record type to another. For CDMA carriers, the amount of time it takes for Sprint to receive the information depends on whether or not the carrier has a direct feed into Sprint or relies upon a clearinghouse. In a best-case scenario (*e.g.,* a CDMA carrier with a direct feed to Sprint), Sprint can receive the information within 24 hours.   In a worst-case scenario (*e.g.,* a GSM car-

rier utilizing batch processing and a clearinghouse), Sprint may not receive the information for 20-30 days.

Sprint's Mobile Broadband/Data Alerts

Sprint clarified information concerning the alerts it currently has in place. With respect to international roaming data usage alerts (for usage on handsets and air cards), Sprint does not have any plans with caps or allotments; as a result, all usage is "casual" and Sprint provides alerts based on dollar amounts. Customers receive alerts (customer chooses to receive either a text or e-mail) at the following dollar amounts: $50/$250/ $500/$1000. When the customer incurs $1,000, international roaming is suspended until next bill cycle (however, a customer may call Sprint's international care center to reactivate service).

With respect to domestic data roaming alerts, Sprint's terms of service limit data roaming to 300 MB of usage. Sprint will send alerts at the following usage percentages: 75%, 90% and 100% of the 300 MB cap. For customers on older plans, upon reaching 100%, data roaming is suspended until the next billing cycle. For customers on newer plans, upon reaching 100%, roaming is also suspended but the customer may opt-in to continue using service.

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If you have any questions or concerns regarding this information, please contact the undersigned.

Sincerely,

/s/ Scott R. Freiermuth

cc: Colleen Heitkamp
       David Tannenbaum